

**April 9, 2007**

**City of Milton-Freewater  
City Council Minutes**

The Council of the City of Milton-Freewater met in regular session Monday, April 9, 2007 at 7:00 p.m. in the Albee Room of the Library.

The following members were present: Mayor Lewis Key, Councilors Orrin Lyon, Ed Chesnut, Keith Woods, Debbie Kelley and Steve Irving. Councilor Brad Humbert was absent.

Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Public Works Superintendent Dave Bradshaw, Police Chief Doug Boedigheimer, Police Sergeant Darren Richman, City Planner Gina Hartzheim, Accounting Supervisor Luke Billings, Public Works Street Supervisor Steve Birdwell and Engineering Technician Tina Kain.

Citizens present were George Gillette, Betty Alexander and Christine Boedigheimer.

Press member present was Melanie Hall of the Valley Herald.

CONSENT CALENDAR ITEMS: The consent calendar items consisted of minutes from the March 26, 2007 city council meeting. Councilor Kelley motioned to adopt the consent calendar items. Councilor Chesnut seconded the motion which passed unanimously.

**NEW BUSINESS**

REQUEST FROM MILTON-FREEWATER UNIFIED SCHOOL DISTRICT FOR JOINT MEETINGS WITH THE CITY COUNCIL. George Gillette, Milton-Freewater Unified School Board Member, stated that for several years both the Council and the School Board members have communicated independently with each other and there has been interest on both sides to meet together to have some discussions of common interests, goals and concerns that would involve both governing bodies. Mr. Gillette continued saying he was in this meeting to do whatever protocol necessary and asked the Council to report to him if they are interested and he would report to the School Board. Mr. Gillette said he would like the meeting(s) to be within the next two or three months.

Mayor Key stated he thought the Council would be interested. Councilor Chesnut said it sounded like a great idea, but may need some guidance as to what protocols council members may need to follow, but could certainly make it happen. Councilor Kelley thanked Mr. Gillette for coming and continued saying the Council was in discussion about this and can take under advisement what the Council can do and when, especially with calendars full. Mr. Gillette did mention the School Board usually takes the month of July off, but the School Board would do whatever is necessary to meet together.

APPOINTMENT LIBRARY BOARD MEMBER. Mayor Key stated that the Library Board was short a member and an application was received. Mayor Key then presented Mr. Corky York to appoint as a member of the Library Board.

Councilor Chesnut motioned to concur with Mayor Key and appoint Mr. York as a member of the Library Board effective immediately with a term through February 2011. Councilor Kelley seconded the motion which passed unanimously.

INTRODUCTION OF NEWLY HIRED POLICE CHIEF. City Manager Delphine Palmer introduced the City's new Police Chief Doug Boedigheimer and his wife, Christine. Ms. Palmer continued saying that Chief Boedigheimer has jumped right in and also that she knows he will be an exciting addition to the City's team.

CONSIDERATION WAIVER OF BICYCLE LICENSE FEE FOR BICYCLE SAFETY RODEO. Police Sergeant Darren Richman asked the Council to waive the bicycle license fee for one day, April 28<sup>th</sup>. The idea is to try to have as many youth in our area as possible to attend the Safety Fair in hopes that they will come to have their bicycles licensed, and to document their serial numbers so our police department has the resources to return bicycles to their rightful owner. Last year alone our police department donated over 70 bicycles to the Kiwanis Club because a system does not exist to identify the owners. There would be a minimal revenue loss to the City as bicycle licenses are \$1. Sergeant Richman also said that bicycle helmets will be passed out at the Fair.

Councilor Kelley motioned to authorize waiver of the bicycle license fee for April 28, 2007 during the Bicycle Safety Fair being held at the Blue Mountain Community College parking lot. Councilor Woods seconded the motion which passed unanimously.

ORDINANCE NO. 941 AMENDING NATURAL GAS FRANCHISE. Assistant City Manager Linda Hall stated this ordinance would not be amending this franchise monetarily. The franchise fees will stand at eight-percent (8%) of all gross revenues. What prompted this amendment was a letter to City Manager Palmer indicating there was a merger to take place between Cascade Natural Gas and another company, MDU Resources. They are reorganizing through an agreement and plan of merger. They will still be doing business under the same corporation name of "Cascade Natural Gas". It is not anticipated that there would be any break in service with customers in the City. The City receives the maximum franchise percentage of eight-percent (8%), which is the maximum the City is allowed to reap by charter. What is required is Ms. Palmer's approval, and Council's authorization, as a formality of the merger. To accomplish this, the ordinance needs to be amended by regular procedures.

Ms. Hall also said that Councilor Woods had come to the office at City Hall with a very good point and Ms. Hall suggested that the Council proceed with his idea of directing staff to exercise their right to call for an audit of their gross revenues and have them prove that the current accounting is accurate and the City is receiving a full eight-percent (8%). Franchise fee agreements are always dependent upon company integrity to report accurately their actual gross revenues. Through the Qwest franchise experience, management learned to exercise their right to demand accountability.

Councilor Irving asked if the fund from this franchise were ever in arrears, and if so, if they had to pay interest. Accounting Supervisor Luke Billings was in attendance and she said no. Councilor Irving then said that should be part of the franchise. Councilor Woods said he did not see any specific language in the franchise agreement promoting incentives

to pay on time, but there is general language in the agreement to stay in compliance and if not, the City has certain rights. Councilor Woods also stated his concern that since the agreement is already ten-years old, the amounts for personal injury and property damage liability seemed low at \$500,000 for each individual and \$3,000,000 for each accident (page 4 of the agreement). Councilor Woods referred to another section in the agreement asking if Cascade Natural Gas has complied with the information regarding the number of homes that have natural gas. Ms. Hall said they were in compliance with this information, which is done on quarterly basis.

Councilor Irving mentioned that Cascade Natural Gas has done some work on 8<sup>th</sup> Street between Davis and Jaquelyn Streets, and he said he is hoping the street repair is temporary as it does not look complete. Ms. Hall said she thought they should have a “street-opening” permit issued through the City’s electric department. Public Works Street Supervisor Steve Birdwell stated this was done and that the repair was done with a coal mix as asphalt is not being made at this time.

Councilor Kelley moved Ordinance No. 941, Amending Natural Gas Franchise, be introduced by title only and full reading waived. Councilor Woods seconded and a roll call vote was taken: Councilor Lyon, yea, Councilor Chesnut, yea, Councilor Woods, yea, Councilor Kelley, yea, and Councilor Irving. Motion carried unanimously. The City Manager then read the ordinance by title only. Councilor Kelley moved for second reading of Ordinance No. 941 be by title only and full reading waived. Councilor Woods seconded and the motion carried unanimously. The City Manager read the ordinance by title only. Councilor Kelley moved to adopt Ordinance No. 941. Councilor Woods seconded and a roll call vote was taken: Councilor Lyon, yea, Councilor Chesnut, yea, Councilor Woods, yea, Councilor Kelley, yea, and Councilor Irving, yea,

**Mayor Key then announced this was the opportunity for citizens to approach the Council with issues not on this agenda. None approached.**

### **MANAGER’S REPORT**

City Manager Delphine Palmer stated she had been working on the negotiations with the Supervisors and Technicians bargaining unit and some members of the unit are in attendance. Ms. Palmer had each one in attendance state their name and what department they work for.

Ms. Palmer said she is also working on the Police labor contract.

Ms. Palmer said she and Public Works Superintendent Dave Bradshaw would be meeting with individuals working with dogs. One group is the SWOT group that tries to find good homes for unwanted dogs along with our PETS group. They are requesting support for an event that takes place in several cities. After the last day of the swimming pool season, several cities keep their pool open for one more day for a “Doggy Swim”. They have a veterinarian on staff in case of little doggy bruises. They have people that bring their dogs, purchase their dog license, and have entertainment, games and treats for the people and their dogs. There are a lot of rules due to many concerns. People can go into the water with their dogs, but the water cannot be higher than their knees. It sounds like a lot of fun

and the purpose is to raise money and awareness for spay and neutering pets. We will meet to ensure the event is feasible.

Ms. Palmer announced that there was a glitch on the golf course restaurant. There were several applications, and after scoring there was a tie and Penny Addison had the winning proposal after the tie simply because she was local. After the Council's award, Mr. Bradshaw telephoned her several times, left messages several times and after a couple of weeks, Ms. Palmer said she asked Mr. Bradshaw to send a letter stating that if no contact is made by April 4<sup>th</sup>, the City would move on to someone else. Ms. Addison did contact the City today, but staff had already contacted the gentleman from Ellensburg. Chris Dirks. He is currently a Master Chef in Ellensburg where he has owned more than one restaurant. He has twenty years experience as a baker and chef. His proposal is for a casual dining establishment and sports bar. Ms. Palmer asked for a consensus from the Council to enter into negotiations with Mr. Dirks.

Councilor Woods motioned to authorize City Manager Delphine Palmer to enter into negotiations with Chris Dirks to manage the golf course restaurant. Councilor Kelley seconded the motion which passed unanimously.

#### **COUNCIL ANNOUNCEMENTS**

Councilor Chesnut announced that he was on the committee to organize the class reunion for the class of 1967 and was hoping to utilize the golf course restaurant.

Councilor Woods sent a note to Northwest Cable News who continues to acknowledge Meecham, Oregon's weather. Councilor Woods asked that they include the City of Milton-Freewater in their report, and while watching the program recently, they did include the weather for the City of Milton-Freewater.

Councilor Irving announced he recently became a grandfather. Congratulations to Councilor Irving!

Council adjourned at 7:26 p.m. to executive session pursuant to ORS 192.660(2)(d) To conduct deliberations with person designated by the governing body to carry on labor negotiations. Also pursuant to ORS 192.660(4) Representatives of the news media shall not be allowed to attend.

Council returned to open session at 9:35 p.m., taking no action.

There being no further business, the meeting was adjourned at 9:35 p.m.

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Lewis S. Key, Mayor